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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, FEBRUARY 5, 2001

APPLICATION OF

BGE COMMERCIAL BUILDING SYSTEMS, INC.

CASE NO. PUE000484

For a license to conduct  
business as a competitive  
service provider in a  
natural gas retail access  
pilot program

ORDER GRANTING LICENSE

On December 21, 2000, BGE Commercial Building Systems, Inc. ("BGE Commercial" or "Company"), completed an application for licensure to conduct business as a natural gas competitive service provider. The Company states that it proposes to provide competitive natural gas service in the retail access pilot program of Washington Gas Light Company ("WGL").

On January 3, 2001, the Commission issued its Order for Notice and Comment, requiring that notice of the application be published, providing for the receipt of comments from the public, and requiring the Commission's Staff to analyze the reasonableness of BGE Commercial's application and present its findings in a Staff Report to be filed on or before January 26, 2001.

The Company filed proof of publication of its notice on January 23, 2001. No comments from the public on BGE Commercial's application were received.

The Staff filed its Report on January 26, 2001, concerning BGE Commercial's fitness to provide competitive natural gas service. Staff discussed BGE Commercial's request for a waiver of 20 VAC 5-311-50 A 12 a of the Interim Rules Governing Electric and Natural Gas Retail Access Pilot Programs, 20 VAC 5-311-10 et seq. ("Interim Rules"), which requires an applicant to file an audited balance sheet and income statement for the most recent fiscal year, as well as published financial information, if available. In lieu of filing the required documents, BGE Commercial filed financial statements of its parent company, BGE Home Products & Services, Inc. ("BGE Home"). BGE Commercial also filed an inter-company guaranty by BGE Home, and a credit report issued by Dun & Bradstreet. Staff recommended that the waiver be granted as requested and stated that the alternate financial information filed by the Company, together with its experience as a supplier in WGL's pilot program, serve as sufficient evidence of financial responsibility.

Staff concluded that BGE Commercial satisfies the financial and technical fitness requirements for licensure, and Staff recommended that a license be granted to BGE Commercial for the

provision of natural gas service to commercial and industrial customers in the WGL pilot program.

BGE Commercial filed a brief response to the Staff Report supporting Staff's conclusions.

NOW UPON CONSIDERATION of the application, the Staff Report, representation by the Company and the applicable law, the Commission finds that the Company's application to provide natural gas service should be granted. We will also grant the waiver of our requiring audited financial statements.

Accordingly,

IT IS ORDERED THAT:

(1) BGE Commercial Building Systems, Inc., hereby is granted license No. PG-17 to provide competitive natural gas service to commercial and industrial customers in conjunction with WGL's retail access pilot. This license to act as a competitive service provider is granted subject to the provisions of the Interim Rules, this Order, and other applicable statutes.

(2) As provided by the Interim Rules, 20 VAC 5-311-60 A, BGE Commercial is granted a waiver of 20 VAC 5-311-50 A 12 a and the submitted financial information is accepted in lieu of audited financial statements.

(3) This license shall expire upon termination of the WGL pilot program unless otherwise ordered by the Commission. This

license is not valid authority for the provision of any product or service not identified within the license itself.

(4) Failure of BGE Commercial to comply with the Interim Rules, the provisions of this Order, other State Corporation Commission orders and rules, or other applicable state or federal laws may result in an enforcement action by the Commission including, without limitation, the revocation, suspension, or modification of the license granted herein, the refusal to renew such license, the imposition of appropriate fines and penalties, or such other additional actions as may be necessary to protect the public interest.

(5) This case shall remain open for consideration of any subsequent amendments or modifications to this license.